



KERN COMMUNITY RADIO INC
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Re: Comment, Docket 99-25, "LPFM"
Filed in FCC ECFS

Dear FCC:

This letter is regarding the pending LPFM Docket 99-25 from the nonprofit Kern Community Radio in Bakersfield, California. We are pleased that the FCC has decided to pursue a balanced approach for licensing LPFM and translators according to the recently signed Local Community Radio Act. However, looking at the recent FCC proposal, it does not appear that it would balance translator vs. LPFM licensing in Bakersfield, California. Currently the FCC has this market slated as a "process" market for translators. We think that the FCC ought to look at tweaking their methodology for "process markets" because it does not conform to reality in Bakersfield.

Kern Community Radio has been looking for a radio channel to license in Bakersfield for half of a decade. The Bakersfield metro has over half a million people, but over 94% percent of the programming on its noncommercial band is fed-in via satellite from over 100 miles away. In addition, 80% of it's noncommercial band programming is religious in nature. We have one public radio station that serves Bakersfield-proper, and it is satellite-fed. There is only one local NCE station, and it is religious. Here is a snapshot of our regional non-commercial FM band, noting where the signal feed comes from. Only one station on the list has programming originating from Bakersfield:

88.1 201B1	KCRY	MOJAVE CA	SANTA MONICA COMMUNITY COLLEGE DISTRICT	Los Angeles	NPR
88.3 202B1	KAXL	GREENACRES CA	SKYRIDE UNLIMITED, INCORPORATED	Local	Religious
88.7 204B	KBLV	TEHACHAPI CA	EDUCATIONAL MEDIA FOUNDATION	Sacramento	Religious
89.1 206B1	KPRX	BAKERSFIELD CA	WHITE ASH BROADCASTING, INC.	Fresno	NPR
89.3 207D	K207DJ	LAKE ISABELLA CA	CALVARY CHAPEL OF TWIN FALLS, INC.	Twin Falls, ID	Religious
89.5 208B	KAIB	SHAFTER CA	EDUCATIONAL MEDIA FOUNDATION	Sacramento	Religious
89.7 209A	KSVG	METTLER CA		Off-the-Air	
89.7 209D	K209FB	EDISON CAV	EDUCATIONAL MEDIA FOUNDATION	Sacramento	Religious
89.7 209D	K209CN	GORMAN CA	SANTA MONICA COMMUNITY COLLEGE DISTRICT	Los Angeles	NPR
89.7 209D	K209DN	MC FARLAND CA	PAULINO BERNAL EVANGELISM	Texas	Religious
90.1 211B	KTQX	BAKERSFIELD CA	RADIO BILINGUE, INC.	Fresno	Spanish
90.5 213D	K214ED	BENA CA	CALVARY CHAPEL OF TWIN FALLS, INC.	Twin Falls, ID	Religious
90.9 215B	KGZO	SHAFTER CA	THE ASSOCIATION FOR COMMUNITY EDUCATION, INC.	Camarillo	Religious
91.3 217B	KFRB	BAKERSFIELD CA	FAMILY STATIONS, INC.	Oakland, CA	Religious
91.7 219D	K219LN	KERNVILLE CA	CALVARY CHAPEL OF TWIN FALLS, INC.	Twin Falls, ID	Religious
91.7 219A	KFHL	WASCO CA	MARY V. HARRIS FOUNDATION	Texas	Religious
91.7 219D	K219AO	FAIRMONT, ETC. CA	FAMILY STATIONS, INC.	Oakland, CA	Religious

In 2007 we set out to apply for an NCE radio permit for Bakersfield. Our only hope was a “rimshot” radio channel in Mettler, CA. Right before we applied for it, a religious via-satellite network, Educational Media Foundation (EMF), that owns hundreds of stations nationwide, and broadcasts on FOUR Bakersfield radio channels, upgraded one of their huge Bakersfield Class B stations and squashed our availability to apply for a viable Bakersfield station. We asked them if they would reconsider and they said “no”. After obtaining the NCE permit for Mettler (KSVG), EMF upgraded another one of their facilities squashing another chance for us to upgrade. We asked them if they would reconsider and they said “no”.

We urge the FCC to reconsider Bakersfield as a “no process” market for several reasons. First, compare the number of licensed translators in the region with the number of LPFM stations:

Translators:

89.3 207D	K207DJ	LAKE ISABELLA CA	CALVARY CHAPEL OF TWIN FALLS, INC.
89.7 209D	K209FB	EDISON CAV	EDUCATIONAL MEDIA FOUNDATION
89.7 209D	K209CN	GORMAN CA	SANTA MONICA COMMUNITY COLLEGE DISTRICT
89.7 209D	K209DN	MCFARLAND CA	PAULINO BERNAL EVANGELISM
90.5 213D	K214ED	BENA CA	CALVARY CHAPEL OF TWIN FALLS, INC.
91.7 219D	K219LN	KERNVILLE CA	CALVARY CHAPEL OF TWIN FALLS, INC.
91.7 219D	K219AO	FAIRMONT, ETC. CA	FAMILY STATIONS, INC.
95.7 239D	K239BB	BAKERSFIELD CA	ONDAS DE VIDA, INC.
95.7 239D	K239AZ	LAKE ISABELLA CA	LIVING PROOF, INC.
99.7 259D	K260BI	HAVILAH CA	CALVARY CHAPEL OF TWIN FALLS, INC.
100 261D	K261CO	BAKERSFIELD CA	EDGEWATER BROADCASTING, INC.
102 270D	K270AK	WOFFORD HEIGHTS CA	LIVING PROOF, INC.
103 273D	K276FH	BAKERSFIELD CA	CALVARY CHAPEL OF COSTA MESA, INC.
105 284D	K284AO	OILDALE CA	EDUCATIONAL MEDIA FOUNDATION
107 295D	K295AZ	BUTTONWILLOW CA	FIRST VENTURES CAPITAL PARTNERS, INC.
108 298D	K298BH	BAKERSFIELD CA	CALVARY CHAPEL OF TWIN FALLS, INC.

LPFM:

104 278L1	KRHM-LP	BAKERSFIELD CA	YOUNG URBAN BROADCASTERS ASSOCIATION
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This is a 16:1 difference.

Second, look at how many translator applications are pending:

93.7 229D	NEW	SHAFTER CA	LIVING PROOF, INC.
93.7 229D	NEW	BAKERSFIELD CA	CALVARY CHAPEL OF TWIN FALLS, INC.
94.5 233D	NEW	BAKERSFIELD CA	CALVARY CHAPEL OF TWIN FALLS, INC.
94.5 233D	NEW	BAKERSFIELD CA	LIVING PROOF, INC.
94.7 234D	NEW	BAKERSFIELD CA	EDUCATIONAL MEDIA FOUNDATION
95.9 240D	NEW	BAKERSFIELD CA	EDUCATIONAL MEDIA FOUNDATION
96.1 241D	NEW	BAKERSFIELD CA	CALVARY CHAPEL OF TWIN FALLS, INC.
96.9 245D	NEW	BAKERSFIELD CA	CALVARY CHAPEL OF TWIN FALLS, INC.
97.3 247A	NEW	LAMONT CA	OWENS ONE COMPANY, INC.
97.3 247D	NEW	BAKERSFIELD CA	LAKE HAVASU CHARTER SCHOOL, INC.
97.5 248D	NEW	LAKE ISABELLA CA	RADIO ASSIST MINISTRY, INC.

97.9 250D	NEW	LAKE ISABELLA CA	RADIO ASSIST MINISTRY, INC.
98.1 251D	NEW	BAKERSFIELD CA	ADVANCE MINISTRIES, INC. D/B/A NEW LIFE CHRISTIAN SCHOOL
98.1 251D	NEW	BAKERSFIELD CA	ADVANCE MINISTRIES, INC. D/B/A NEW LIFE CHRISTIAN SCHOOL
98.1 251D	NEW	TEHACHAPI CA	RADIO ASSIST MINISTRY, INC.
98.1 251D	NEW	LAKE ISABELLA CA	RADIO ASSIST MINISTRY, INC.
98.1 251D	NEW	BAKERSFIELD CA	ADVANCE MINISTRIES, INC. D/B/A NEW LIFE CHRISTIAN SCHOOL
100 261D	NEW	LAKE ISABELLA CA	EDGEWATER BROADCASTING, INC.
101 265A	NEW	BUTTONWILLOW CA	HISPANIC TARGET MEDIA INC.
102 272D	NEW	TEHACHAPI CA	THE ASSOCIATION FOR COMMUNITY EDUCATION, INC.
106 289A	NEW	KERNVILLE CA	HISPANIC TARGET MEDIA INC.
107 295D	NEW	FRAZIER PARK CA	EDUCATIONAL MEDIA FOUNDATION
107 296D	NEW	TEHACHAPI CA	ADVANCE MINISTRIES, INC. D/B/A NEW LIFE CHRISTIAN SCHOOL
107 296D	NEW	HUNGRY VALLEY CA	GOLD COAST BROADCASTING LLC

Kern Community Radio is interested in LPFM availability in downtown Bakersfield. Our engineer took a look at LPFM availability in downtown Bakersfield. Three channels would appear to meet that spacing:

228 OK. However, there would be TWO adjacent translators licensed to CH 229 if the FCC processes all translators, and one of those channels would be licensed to “Bakersfield”.

255 OK

298 Maybe. Except there is a translator licensed to this same channel with the community of license “Bakersfield” already serving Bakersfield.

So there would be effectively one good channel for us to license as an LPFM in downtown Bakersfield after the FCC is done processing all the translator applications. The FCC is effectively giving EMF three more radio channels on top of their four local Bakersfield-area channels for a possible total of SEVEN BAKERSFIELD CHANNELS. The FCC could be giving Calvary Chapel of Twin Falls possibly four more radio channels on top of their six other channels for a possible total of TEN BAKERSFIELD CHANNELS. The FCC would then grant Radio Assist and Edgewater more radio channels for them TO POSSIBLY RE-SELL. Then afterwards, the FCC will then allow the dozen-or-so local Bakersfield nonprofits that want an LPFM in downtown Bakersfield to fight over ONE GOOD CHANNEL.

So it is assumed Kern Community Radio might get ¼ of a share-time LPFM and EMF gets a possible seven local radio channels and Calvary gets a possible ten local radio channels at the end. Does this seem like a good balance for LPFM and translators in Bakersfield? Bakersfield is in need of many more local community-run radio outlets and not more satellite-fed broadcasters. We support the FCC’s current proposal to tier cities for “process” and “no process” markets, but we think Bakersfield should clearly be a “no process” market.

Sincerely,

Jake Chavez
 Manager
 Kern Community Radio Inc.

cc: Peter Doyle, Audio Division, FCC via email
 Jim Bradshaw, Audio Division, FCC via email